

C H A P. XXII. to any Damage which shall or may happen, to any Tobacco so left with him to keep secure, through any other Casualty whatsoever.

If Tobacco, so received and marked, be seized by the Sheriff in the Debtor's Tobacco-house, and such Debtor refuse to make other Satisfaction, any two Justices may award Execution, &c. for Debt and Costs.

IV. And be it Enacted, by the Authority aforesaid, by and with the Advice and Consent aforesaid, That any Person or Persons whatsoever, Merchants and Others, within this Province, that have at any Time within Twelve Months last past, received, marked or nailed, or for the future shall receive, mark or nail, any Hoghead or Hogheads of Tobacco, within this Province, of any Person or Persons, Debtors, within the same, and which hath been paid and delivered to them for Satisfaction of their said Debts, and such Merchants or Others have, upon Receipt, marking and nailing such Hoghead or Hogheads of Tobacco, delivered up their Bills, or other Security, to their respective Debtors, of their said Debts; or if the said Merchants or Others, have given Releases or Discharges, to their said Debtors, of the said Debt; and that before the said Merchant or Others could remove the said Hoghead or Hogheads of Tobacco from the said Debtor's Tobacco-Houses, if any Sheriff shall come and seize such Tobacco, so marked and nailed as aforesaid, that then, and in every such Case, if the Party refuse to make and give to the said Creditors some other full Satisfaction for their said Debts, it shall and may be lawful for any Two of his Majesty's Justices of the respective Counties within this Province, upon due Proof thereof made before them, of the said Debt and Sheriff's Seizure as aforesaid, and the Party Debtor refusing to make that full Satisfaction to their Creditors for their said Debts, at the Creditor's Request, to award him Execution, with such Costs, not exceeding One Hundred Pounds of Tobacco, against the Body, Goods or Chattels of such Debtor, to be executed by the Sheriff, for Satisfaction of the Creditors just Debt and Costs as aforesaid, in as full and ample Manner, as if the Debt were recovered by due Course of Law.

Altering the Marks or Quality of Tobacco so received (without Warrant from the Owner) shall be adjudged Felony, &c.

V. And be it further Enacted, by the Authority, Advice and Consent aforesaid, That the altering or scratching out of the Mark of any Tobacco, received and paid in Hogheads, or altering or changing the Quality of Tobacco in Hogheads so received or paid, either by Uncasing or otherwise, without lawful Warrant in Writing under the Hand of such Person who received the same, or for whose Use the same was received and paid, be deemed and adjudged Felony. And whosoever shall be found guilty thereof, by Confession, or by Verdict of Twelve Men, in any Court of Record within this Province, shall have Judgment to restore Fourfold to the Party grieved, and stand in the Pillory Two Hours, during the Court Time, with his Offence fairly written in Paper, and placed on the Back of such Convict Person.

If prosecuted within a Year and a Day.

VI. Provided, That no Person be prosecuted on this Act for the aforesaid Offence, after One Year and a Day from the Time of the Offence committed.

What shall be deemed False Packing.

VII. And to prevent the fraudulent Practices used in Packing Tobacco in Hogheads; Be it Enacted, by the Authority, Advice and Consent aforesaid, That if any Person or Persons, having the Possession, Property, Rule, Directions, Overseeing or Government, of any Plantation, or Place where Tobacco is or shall be made, shall use any fallacious, fraudulent or deceitful Means or Practices, to conceal or hide any Frost-bitten, trashy Ground-Leaves, or small dull Scrubs, or any Stalks, Stems, Wood, Stones, Dirt, or any other manner of Trash, or old decayed Tobacco, in the inward Parts of such Hoghead, when the Generality of such Tobacco as shall be packed in the outward Parts is good, sound and merchantable; or that it shall be deemed or adjudged by the Court or the Jury before whom such Matter shall be Tried or called in Question, that such Packing falls within the ancient common received Notion of what False Packing has been hitherto reputed to be; and any such Hoghead or Cask of Tobacco pay, or offer or tender to pay away, on any Account whatsoever, that then the Person or Persons that shall pack,

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